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Attorneys for Defendants
NOVARTIS VACCINES AND DIAGNOSTICS, INC.
(incorrectly sued as NOVARTIS f/k/a CHIRON
CORPORATION f/k/a CETUS CORPORATION) and
ABDALLAH FANIDI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANET S. ROSE and DAVID M. ROSE,)	Case No. C10-04200 TEH
)	
Plaintiffs,)	(Alameda County Superior Court
)	Case No. RG 10512153)
v.)	
)	STIPULATION AND ORDER TO
NOVARTIS, f/k/a CHIRON CORPORATION)	CONTINUE HEARING ON MOTION
f/k/a CETUS CORPORATION, ABDALLAH)	TO REMAND ACTION
FANIDI, as an individual, and DOES 1 through)	
100, inclusive,)	
)	
Defendants.)	Complaint filed: April 28, 2010
)	
)	
)	

IT IS HEREBY STIPULATED by and between Plaintiffs Janet S. Rose and David M. Rose ("Plaintiffs") and Defendants Novartis Vaccines and Diagnostics, Inc. (incorrectly sued as Novartis f/k/a Chiron Corporation f/k/a Cetus Corporation) and Abdallah Fanidi ("Defendants"), by and through their undersigned counsel, and pursuant to Local Rules 5 and 6.2, hereby stipulate and agree as follows:

1. Defendant Novartis Vaccines and Diagnostics, Inc. filed its Notice of Removal [Diversity Jurisdiction] in this Court on September 17, 2010, removing this matter from the Superior Court, State of California, County of Alameda.

2. Plaintiffs thereafter filed their Motion to Remand Action to the Superior Court, State of California, County of San Francisco ("Motion") on October 13, 2010.

3. Plaintiffs' Motion is currently scheduled for hearing on December 20, 2010 at 10:00 a.m.


4. Counsel for Defendant, Michael J. Burns, has a prior obligation in another matter on December 20, 2010 and is unable to attend the hearing as scheduled.

5. Counsel for Defendant and counsel for both Plaintiffs have agreed to reschedule the hearing on Plaintiffs' Motion for January 24, 2011 at 10:00 a.m. and hereby request that the hearing on Plaintiffs' Motion be rescheduled on that date.

6. Given the rescheduled date for the hearing, Defendant's Opposition or Statement of Non-Opposition is due by January 3, 2011. Plaintiffs' Reply to any Opposition is due by January 10, 2011.

DATED: November 11, 2010

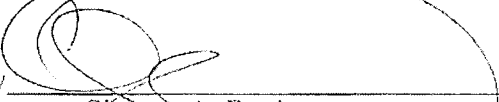
SEYFARTH SHAW LLP

By 
Michael J. Burns

Attorneys for Defendants
NOVARTIS VACCINES AND
DIAGNOSTICS, INC. (incorrectly sued as
NOVARTIS f/k/a CHIRON CORPORATION
f/k/a CETUS CORPORATION) and
ABDALLAH FANIDI

DATED: November 10, 2010

FARRISE LAW FIRM

By 
Simona A. Farrise
Carla V. Minnard

Attorneys for Plaintiffs
JANET S. ROSE and DAVID M. ROSE

ORDER

TO THE PARTIES OF RECORD:

Having reviewed the Stipulation to Continue Hearing Date of Plaintiffs' Motion to Remand Action to Superior Court and [Proposed] Order and good cause showing;

THE COURT HEREBY ORDERS AS FOLLOWS:

1. The hearing on Plaintiffs' Motion, currently scheduled for December 20, 2010 at 10:00 a.m. is continued to ~~Monday~~ Wednesday, January 24, 2011 at 10:00 a.m..

2. Pursuant to Local Rule 7-3(a), Defendant's Opposition or Statement of Non-Opposition shall be due not later than January 3, 2011.

3. Pursuant to Local Rule 7-3(c), Plaintiffs' Reply to any Opposition provided by Defendant shall be due not later than January 10, 2011.

IT IS SO ORDERED.

Dated: 11/15/10

United States



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